

Sentencing, 5

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

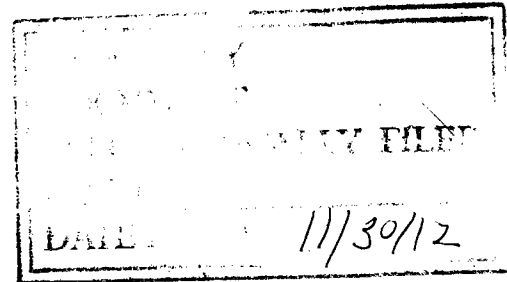
SASWATA BASU,

Plaintiff,

v.

SPSS INC. (as successor-in-interest to net.Genesis Corp.) JOHN DELEA, LAWRENCE S. BOHN, KATHLEEN L. BIRO, TED R. DINTERSMITH, ROBERT N. GOLDMAN, RORY O'DRISCOLL, STEPHEN J. RICCI, J.P. MORGAN SECURITIES, INC. (as successor-in-interest to Chase Securities, Inc.), DEUTSCHE BANK ALEX BROWN (as successor-in-interest to Deutsche Bank Securities, Inc.), U.S. BANCORP PIPER JAFFRAY, INC., BEAR STEARNS & CO., INC., CIBC WORLD MARKETS CORP., PRUDENTIAL SECURITIES INCORPORATED, S.G. COWEN SECURITIES; WIT SOUNDVIEW GROUP, INC. (individually and as successor-in-interest to E*OFFERING CORP), ADAMS HARKNESS & HILL, INC., FIRST ALBANY CORPORATION; TUCKER ANTHONY CLEARY GULL, and C.E. UNTERBERG TOWBIN,

Defendants



File No. 02 CV 9694 (SAS)

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Saswata Basu and all Defendants who have appeared in this action, by their counsel, hereby stipulate to the dismissal of this Action with prejudice and with each party bearing its own costs and fees.

New York, New York

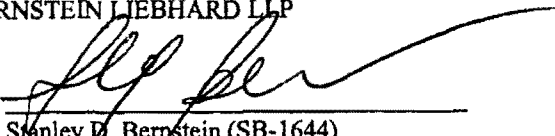
October 31, 2012

SIMPSON THACHER & BARTLETT LLP

By: _____
David W. Ichel (DI-7271)
Joseph M. McLaughlin (JM-6434)
425 Lexington Avenue
New York, New York 10017
(212) 455-2000

*Attorneys for J.P. Morgan Securities Inc.
(as successor-in-interest to Chase
Securities, Inc.) and Bear Stearns & Co.,
Inc.*

BERNSTEIN LIEBHARD LLP

By: 
Stanley D. Bernstein (SB-1644)
10 East 40th Street
New York, New York 10016
(212) 779-1414

Attorneys for Plaintiff Saswata Basu


SASWATA BASU

WILMER CUTLER PICKERING HALE AND
DORR LLP

By: _____
Michelle D. Miller (*pro hac vice*)
60 State Street
Boston, Massachusetts 02109
(617) 526-6000

Molly S. Boast (MB-2350)
7 World Trade Center
250 Greenwich Street
New York, NY 10007

*Attorneys for SPSS, Inc., and its successor
International Business Machines
Corporation, John Delea, Lawrence S.
Bohn, Kathleen L. Biro, Ted R. Dintersmith,
Robert N. Goldman, Rory O'Driscoll, and
Stephen J. Ricci*

SIDLEY AUSTIN LLP

By: _____
Joel M. Mitnick (JM-0044)
787 Seventh Avenue
New York, New York 10019
(212) 839-5300

*Attorneys for Deutsche Bank Alex Brown,
Inc. (as successor-in-interest to Deutsche
Bank Securities, Inc.)*

SIMPSON THACHER & BARTLETT LLP

BERNSTEIN LIEBHARD LLP

By: 

David W. Ichel (DI-7271)
Joseph M. McLaughlin (JM-6434)
425 Lexington Avenue
New York, New York 10017
(212) 455-2000

*Attorneys for J.P. Morgan Securities Inc.
(as successor-in-interest to Chase
Securities, Inc.) and Bear Stearns & Co.,
Inc.*

By: _____

Stanley D. Bernstein (SB-1644)
10 East 40th Street
New York, New York 10016
(212) 779-1414

Attorneys for Plaintiff Saswata Basu

SASWATA BASU

WILMER CUTLER PICKERING HALE AND
DORR LLP

SIDLEY AUSTIN LLP

By: _____

Michelle D. Miller (*pro hac vice*)
60 State Street
Boston, Massachusetts 02109
(617) 526-6000

Molly S. Boast (MB-2350)
7 World Trade Center
250 Greenwich Street
New York, NY 10007

*Attorneys for SPSS, Inc., and its successor
International Business Machines
Corporation, John Delea, Lawrence S.
Bohn, Kathleen L. Biro, Ted R. Dintersmith,
Robert N. Goldman, Rory O'Driscoll, and
Stephen J. Ricci*

By: _____

Joel M. Mitnick (JM-0044)
787 Seventh Avenue
New York, New York 10019
(212) 839-5300

*Attorneys for Deutsche Bank Alex Brown,
Inc. (as successor-in-interest to Deutsche
Bank Securities, Inc.)*

SIMPSON THACHER & BARTLETT LLP

BERNSTEIN LIEBHARD LLP

By:

David W. Ichel (DI-7271)
Joseph M. McLaughlin (JM-6434)
425 Lexington Avenue
New York, New York 10017
(212) 455-2000

*Attorneys for J.P. Morgan Securities Inc.
(as successor-in-interest to Chase
Securities, Inc.) and Bear Stearns & Co.,
Inc.*

By:

Stanley D. Bernstein (SB-1644)
10 East 40th Street
New York, New York 10016
(212) 779-1414


Attorneys for Plaintiff Saswata Basu

SASWATA BASU

WILMER CUTLER PICKERING HALE AND
DORR LLP

SIDLEY AUSTIN LLP

By:


Michelle D. Miller (*pro hac vice*)
60 State Street
Boston, Massachusetts 02109
(617) 526-6000

Molly S. Boast (MB-2350)
7 World Trade Center
250 Greenwich Street
New York, NY 10007

*Attorneys for SPSS, Inc., and its successor
International Business Machines
Corporation, John Delea, Lawrence S.
Bohn, Kathleen L. Biro, Ted R. Dintersmith,
Robert N. Goldman, Rory O'Driscoll, and
Stephen J. Ricci*

By:

Joel M. Mitnick (JM-0044)
787 Seventh Avenue
New York, New York 10019
(212) 839-5300

*Attorneys for Deutsche Bank Alex Brown,
Inc. (as successor-in-interest to Deutsche
Bank Securities, Inc.)*

SIMPSON THACHER & BARTLETT LLP

By: _____
David W. Ichel (DI-7271)
Joseph M. McLaughlin (JM-6434)
425 Lexington Avenue
New York, New York 10017
(212) 455-2000

*Attorneys for J.P. Morgan Securities Inc.
(as successor-in-interest to Chase
Securities, Inc.) and Bear Stearns & Co.,
Inc.*

BERNSTEIN LIEBHARD LLP

By: _____
Stanley D. Bernstein (SB-1644)
10 East 40th Street
New York, New York 10016
(212) 779-1414

Attorneys for Plaintiff Saswata Basu

SASWATA BASU

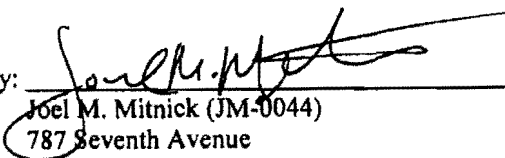
WILMER CUTLER PICKERING HALE AND
DORR LLP

By: _____
Michelle D. Miller (*pro hac vice*)
60 State Street
Boston, Massachusetts 02109
(617) 526-6000

Molly S. Boast (MB-2350)
7 World Trade Center
250 Greenwich Street
New York, NY 10007

*Attorneys for SPSS, Inc., and its successor
International Business Machines
Corporation, John Delea, Lawrence S.
Bohn, Kathleen L. Biro, Ted R. Dintersmith,
Robert N. Goldman, Rory O'Driscoll, and
Stephen J. Ricci*

SIDLEY AUSTIN LLP

By:  _____
Joel M. Mitnick (JM-0044)
787 Seventh Avenue
New York, New York 10019
(212) 839-5300

*Attorneys for Deutsche Bank Alex Brown,
Inc. (as successor-in-interest to Deutsche
Bank Securities, Inc.)*

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

PROSKAUER ROSE LLP

By: 

Jay B. Kasner (JK-7910)
Scott Musoff (SM-2965)
Four Times Square
New York, New York 10036
(212) 735-3000

*Attorneys for CIBC World Markets Corp.
and S.G. Cowen Securities (n/k/a Cowen
Group, Inc.)*

By: _____

Sarah Schrank Gold (SG-1912)
11 Times Square
New York, New York 10036
(212) 969-3000

*Attorneys for Prudential Equity Group, LLC
as successor in interest to Prudential
Securities, Inc.*

GRIESINGER, TIGHE & MAFFEI, LLP

FOLEY & LARDNER LLP

By: _____

Daniel P. Tighe (*pro hac vice*)
176 Federal Street
Boston, Massachusetts 02110
(617) 542-9900

*Attorneys for Canaccord Adams (Delaware)
Inc. (as successor in interest to Adams
Harkness & Hill, Inc.)*

By: _____

Bryan B. House (*pro hac vice*)
3000 K Street, N.W., Suite 500
Washington, DC 20007
(202) 672-5300

*Attorneys for U.S. Bancorp Piper Jaffray
Inc. (now known as Piper Jaffray
Companies) and First Albany Corporation
(now known as Gleacher & Company
Securities, Inc.)*

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

PROSKAUER ROSE LLP

By: _____
Jay B. Kasner (JK-7910)
Scott Musoff (SM-2965)
Four Times Square
New York, New York 10036
(212) 735-3000

*Attorneys for CIBC World Markets Corp.
and S.G. Cowen Securities (n/k/a Cowen
Group, Inc.)*

By: _____
Sarah Schrank Gold (SG-1912)
11 Times Square
New York, New York 10036
(212) 969-3000

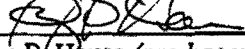
*Attorneys for Prudential Equity Group, LLC
as successor in interest to Prudential
Securities, Inc.*

GRIESINGER, TIGHE & MAFFEI, LLP

FOLEY & LARDNER LLP

By: _____
Daniel P. Tighe (*pro hac vice*)
176 Federal Street
Boston, Massachusetts 02110
(617) 542-9900

*Attorneys for Canaccord Adams (Delaware)
Inc. (as successor in interest to Adams
Harkness & Hill, Inc.)*

By:  _____
Bryan B. House (*pro hac vice*)
3000 K Street, N.W., Suite 500
Washington, DC 20007
(202) 672-5300

*Attorneys for U.S. Bancorp Piper Jaffray
Inc. (now known as Piper Jaffray
Companies) and First Albany Corporation
(now known as Gleacher & Company
Securities, Inc.)*

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

PROSKAUER ROSE LLP

By: _____
Jay B. Kasner (JK-7910)
Scott Musoff (SM-2965)
Four Times Square
New York, New York 10036
(212) 735-3000

*Attorneys for CIBC World Markets Corp.
and S.G. Cowen Securities (n/k/a Cowen
Group, Inc.)*

By: _____
Sarah Schrank Gold (SG-1912)
11 Times Square
New York, New York 10036
(212) 969-3000

*Attorneys for Prudential Equity Group, LLC
as successor in interest to Prudential
Securities, Inc.*

GRIESINGER, TIGHE & MAFFEI, LLP

FOLEY & LARDNER LLP

By: Daniel P. Tighe / sm
Daniel P. Tighe (*pro hac vice*)
176 Federal Street
Boston, Massachusetts 02110
(617) 542-9900

*Attorneys for Canaccord Adams (Delaware)
Inc. (as successor in interest to Adams
Harkness & Hill, Inc.)*

By: _____
Bryan B. House (*pro hac vice*)
3000 K Street, N.W., Suite 500
Washington, DC 20007
(202) 672-5300

*Attorneys for U.S. Bancorp Piper Jaffray
Inc. (now known as Piper Jaffray
Companies) and First Albany Corporation
(now known as Gleacher & Company
Securities, Inc.)*

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

By: _____
Jay B. Kasner (JK-7910)
Scott Musoff (SM-2965)
Four Times Square
New York, New York 10036
(212) 735-3000

*Attorneys for CIBC World Markets Corp.
and S.G. Cowen Securities (n/k/a Cowen
Group, Inc.)*

PROSKAUER ROSE LLP

By: Sarah S. Gold
Sarah Schrank Gold (SG-1912)
11 Times Square
New York, New York 10036
(212) 969-3000

*Attorneys for Prudential Equity Group, LLC
as successor in interest to Prudential
Securities, Inc.*

GRIESINGER, TIGHE & MAFFEI, LLP

By: _____
Daniel P. Tighe (*pro hac vice*)
176 Federal Street
Boston, Massachusetts 02110
(617) 542-9900

*Attorneys for Canaccord Adams (Delaware)
Inc. (as successor in interest to Adams
Harkness & Hill, Inc.)*

FOLEY & LARDNER LLP

By: _____
Bryan B. House (*pro hac vice*)
3000 K Street, N.W., Suite 500
Washington, DC 20007
(202) 672-5300

*Attorneys for U.S. Bancorp Piper Jaffray
Inc. (now known as Piper Jaffray
Companies) and First Albany Corporation
(now known as Gleacher & Company
Securities, Inc.)*

ARNOLD & PORTER LLP

MORGAN, LEWIS & BOCKIUS LLP

By: *Kenneth G. Hausman*
Kenneth G. Hausman (KH-7366)
Stewart David Aaron (SA-1276)
399 Park Avenue
New York, New York 10022
(212) 715-1000

*Attorneys for Tucker Anthony Clearly Gull,
Inc. and Witt Soundview Group, Inc.
(individually and as successor-in-interest to
E*Offering Corp.)*

By: _____
Michele A. Coffey (MC-8656)
Brian A. Herman (BH-0731)
101 Park Avenue
New York, New York 10178
(212) 309-6000

Attorneys for C.E. Unterberg, Towbin

ARNOLD & PORTER LLP

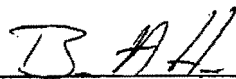
MORGAN, LEWIS & BOCKIUS LLP

By: _____

Kenneth G. Hausman (KH-7366)
Stewart David Aaron (SA-1276)
399 Park Avenue
New York, New York 10022
(212) 715-1000

*Attorneys for Tucker Anthony Clearly Gull,
Inc. and Witt Soundview Group, Inc.
(individually and as successor-in-interest to
E*Offering Corp.)*

By: _____


Michele A. Coffey (MC-8656)
Brian A. Herman (BH-0731)
101 Park Avenue
New York, New York 10178
(212) 309-6000

*Attorneys for Canaccord Genuity Inc. (as
successor in interest to C.E. Unterberg
Towbin, a California Limited Partnership)*

SO ORDERED:



U.S.D.J.

11/29/12